

REMARKS

Claims 1-26 are pending in this application. Claims 1-26 stand rejected. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Rejections Under 35 U.S.C. §112

Claims 1, 12, and 16 stand rejected as being indefinite. Claim 1 stands rejected for use of the phrase ‘configuration call center entities to a voice response server.’ In response, the phrase has been amended to clarify its meaning.

Claim 12 stands rejected for indefiniteness regarding the “means for connecting”, the “means . . . for requesting” and the “means for responding.” In response, the wording has been amended to clarify the relationships.

Claim 16 stands rejected for use of the phrase “and which provides.” In response, the phrase has been amended for clarification.

Rejections Under 35 U.S.C. §103

Claims 1-26 have been rejected as obvious over Partovi in view of Judkins. Applicant respectfully traverses the rejections.

In response, claim 1 has been further clarified by the addition of the phrase “providing a computer within the call center with configuration, real time and call control information for agents and agent groups of the call center.” The call center computer with configuration, real time and call control information for agents and agent groups of the call center is discussed in

general throughout the specification (e.g., paragraph bridging pages 6-7, second full paragraph on page 9, etc.).

Claims 1-26 are now clearly differentiated over Partovi and Judkins. In this regard, Partovi is merely directed to a voice portal for customers. Similarly, Judkins is directed to a script editor for interactive voice response (IVR) and ACD scripts. Neither Partovi or Judkins (or the combination of Partovi and Judkins) provides a call center computer containing configuration, real time and call control information for agents and agent groups of the call center where the information is accessed through a call manager.

In addition, the independent claims 1, 12, and 16 concern an administrator responsible for management of the call center including management of the plurality of agents or configuring and monitoring call center entities, and to providing the operational information about management of the call center to the administrator. An administrator of the call center is defined in the specification as a person who is “responsible for the management of the call center” (p. 5, lines 13-19). Information about the call center is described on p. 5, lines 20-26, and in the table on page 6 of the patent specification; and by examples such as at page 12, lines 16-19 of the specification. Thus, independent claims 1, 12 and 16 clearly require providing operational information about the call center management including agent management to the administrator. Claims 10, 12, and 20 also recite learning a pattern of regularly used commands to automatically provide regularly requested information.

In contrast to the agent based call center of independent claims 1, 12, and 16, Partovi is directed to providing streaming content to general public callers. A system like Partovi would not allow its customers to have access to administrator management data. The Office Action

cites Fig. 5, element 512 as showing a voice response server providing operational information but this just shows a “present content” step 512 in a flow diagram for providing personalized content, not management operational information. The cited portion of Partovi at Col. 5, lines 15-30 merely explains that the system may adapt its voice character, and make purchase suggestions, but does not describe providing operational information to administrators about the call center management (voice character/dialect information is not provided to the caller, it is used by the system) nor does it discuss providing any information to an administrator. Similarly at Col. 15, lines 30-45, Partovi merely describes the customer ability to specify topics to be played to that specific customer, but call center management information is not provided. Partovi streams general knowledge information to callers instead of providing operational information about management of the call center including management of agents or configuring and monitoring call center entities. Partovi does not disclose, or provide operational information about call center management as claimed. The Office Action appears to interpret customers as administrators but users of Partovi are clearly not administrators as that term is defined in the specification and claims or as would be understood by those skilled in the art. Nor do they perform the management functions required by the claims.

Claim 1, 12, and 16 are also limited to providing information about the call center management to the “administrator responsible for management of the call center.” In contrast and as demonstrated above, Partovi fails to provide any teaching or suggestion of connecting to or providing information to “an administrator responsible for management of the call center.” The term “administrator” is well defined in the specification (P. 5, lines 13-19) and claims, referring to one who is “responsible for management of the call center including management of

the plurality of agents” which clearly excludes the customers of the information streaming system of Partovi. The cited portions of Partovi at Col. 4, lines 26-40 and Col. 15, lines 6-17 describe only the customer content selection, and customer profiles and personalization for that specific customer, not access by an administrator who manages the call center. Such limited control of personal selections can in no way constitute management of the call center, including agent and entity management. In fact, the Partovi system isn’t even a call center and has no agents, it is a system for providing streaming content to customers automatically over the telephone and thus doesn’t require the complex management required by a call center. Thus, Partovi’s streaming content system is an entirely different type of system than that claimed. It doesn’t present the same management issues, does not have agents, and describes only customers calling for non-management information.

The Office Action concedes that Partovi does not disclose that users are administrators responsible for management of the call center but cites Judkins as teaching the context of administrators configuring and monitoring call center entities. Judkins describes a call center including supervisor software that allows management to manage the call center using a PC workstation (Col. 7, lines 57 to Col. 8, line 2). However, Judkins does not describe a system which allows voice access to operational and management information. Judkins merely shows that call center administrators existed at the time of filing of the instant application. However, there is no teaching or suggestion of providing a voice response server to provide voice response processing of operational information about management of the call center. Thus, neither reference teaches or suggests processing voice telephone requests from an administrator. Combining Partovi with Judkins without the use of hindsight would merely result in a

conventional system in which customers can call in for general knowledge information, and in which administrators manage the system from a PC workstation. There is no suggestion in either reference that allows administrators to call in and use voice to request operational information or receive such information in voice form. Those skilled in this art would not consider giving users of the streaming system of Partovi access to operational management information. Thus, Partovi combined with Judkins would not result in the claimed features without the extensive use of hindsight and would be contrary to the teachings of each reference. Thus, the combination of Partovi and Judkins does not teach all of the elements of the independent claims 1, 12 and 16 and cannot properly be combined to obtain the claimed invention without the use of hindsight. Thus, the independent claims 1, 12, and 16 are allowable over the cited references, as are claims 2-11, 13-15, and 17-26 which are dependent upon allowable base claims 1, 12, and 16.

Claims 10, 12, and 20 call for learning a pattern of access commands and automatically providing operational information based on the pattern. The Office Action asserts this is disclosed in Partovi, Col. 5, lines 15-25, and Judkins, Col. 7, lines 35 to Col. 8, line 11. However, neither reference discloses the claimed learning a pattern of access commands, or providing information based on the pattern of access commands. Partovi in Col. 5 merely describes adapting to voice character not learning of command patterns, and Judkins in Cols. 7-8 does not discuss learning command patterns. Thus, claims 10 and 20 are believed to be further distinguishable over the references for these reasons.

Claims 11, 14, and 23 recite that a barge in request (as described on page 12, lines 10-13), interrupts information presentations. The Office Action indicates that Partovi describes this feature at Col. 7, lines 25-30 of Partovi. However, this passage in Partovi, in Col. 7, merely

describes the system recognizing that less verbose prompts are needed when the user provides commands before most prompts are finished. This describes the system recognizing a user providing inputs quickly and quickening the prompts in response, but does not describe the claimed barge-in request or an interruption of presentations. There is no barge-in request made or interruption (i.e., the prompts continue in less verbose form). Thus, these claims 11, 14, and 23 are believed to be further distinguishable over Partovi and Judkins.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the

unpaid amount to Deposit Account No. 23-0920. *(If filed by paper, a duplicate copy of this sheet(s) is enclosed).*

Respectfully submitted,

HUSCH BLACKWELL SANDERS
WELSH & KATZ

By: 

Jon P. Christensen

Registration No. 34,137

Dated: January 28, 2010

HUSCH BLACKWELL SANDERS
WELSH & KATZ
120 South Riverside Plaza, Suite 2200
Chicago, Illinois 60606
(312) 655-1500